

Violent Crime Coordinating Council (VCCC) 6/8/16 Meeting Minutes

Members present: Tracy Perzel (for Andrew Luger); Richard Dusterhoft; Rob Thomasser (for Thomas Smith); Bruce Folkens (for Janee Harteau); Mike Goldstein; Andy Bohlen; Andy Smith (for Rich Stanek); Ryan O'Neill (for Matt Bostrom); Brian Mueller (for Bill Hutton); Brent Lindgren; Jared Rosati; Drew Evans; Cari Gerlicher; and Hector Garcia.

DPS Staff: Tricia Hummel, Brian Marquart and Kristin Lail.

Guests: John Wisniewski, MN National Guard; Kent Bailey, DEA; Robert Small, Minnesota County Attorney's Association; and Dan Davis, State of Washington.

Meeting materials:

- VCCC 6/8/16 meeting agenda
- 4/13/16 draft meeting minutes
- MCAA Summary of Drug Sentencing Reform Proposal
- 6/8/16 Statewide Commander Report
- 2018-19 Legislative Funding Proposal
- Community Engagement Committee materials
- Milwaukee HIDTA Overview

Location: Minnesota Bureau of Criminal Apprehension.

Welcome and Introductions: The meeting was convened at 10:05 by Chair Goldstein.

M/S/P (Rosati/Gerlicher) to approve meeting minutes from 4/13/16.

M/S/P (Mueller/Folkens) to approve the 4/13/16 meeting agenda.

Minnesota Sentencing Guidelines Update

Judge Bob Small, Executive Director of the Minnesota County Attorney's Association provided an overview of the recently passed drug sentencing statute and the conference committee negotiation process resulting from the recommended changes passed by the Minnesota Sentencing Guidelines in December, 2015. He summarized changes to the sentencing guidelines drug offender grid for first and second degree sale and possession cases. He noted that an "aggravated first degree controlled substance crime" was created for cases involving the sale or possession of 100 grams or 500 dosage units of a controlled substance; involving a firearm; and including two or more of 10 aggravating factors. See handout for more details on all of the provisions of this new statute. VCCC members voiced some concerns with the new statute, significant increases in drug amounts, and the change in trace amount definitions. There was also some discussion on the legal interpretation of aggravating factors.

Standing Committee Updates

Governance Subcommittee

Brian Mueller reviewed a draft proposal to the Commissioner of Public Safety requesting an additional \$1.5 million in state legislative funds for 2018 and 2019 VCET grants. Chair Goldstein recommended consultation with VCCC Counsel John Gross on the process for distribution of the VCET funding proposal to interested stakeholders. Members liked that the proposal showed the stagnant historical funding as well as the increases in drug cases and seizures. Brian Marquart suggested double checking all data and updating 2015 amounts. VCCC members also recommended highlighting VCET community engagement activities and impact.

M/S/P (Lindgren/Gerlicher) to forward the 2018-19 VCET funding increase proposal (with data updates) to Commissioner Dohman and request guidance for outreach to professional organizations.

Community Engagement Subcommittee

Hector Garcia provided an update on the North St. Paul community roundtable, a new publication from the Brookings institution and Department of Justice webinars on reducing implicit bias and fostering processes of reconciliation. Members discussed the FBI and U.S. Attorney's community outreach efforts with faith communities. The Office of Justice Programs is funding two anti-terrorism pilot projects in Hennepin County and the City of Faribault, and has requested a change in the name of the state program to support proactive outreach to immigrant communities and positive connections with youth.

Data Committee

Drew Evans reported that the data committee had not met. DPS continues tracking discussions about the use of law enforcement body cameras and the management of video data. He also noted that the BCA has applied for a statewide Anti-Heroin Task Force grant from the federal COPS office.

Professional Standards Subcommittee

Cari Gerlicher reported that the first two VCET reviews by the Office of the State Auditor were in process and they expect to have reports to review by the next VCCC meeting. The committee decided to hold off on revising the Guidelines Manual until after this round of audits, likely in early 2017.

Statewide Gang and Drug Commander Update

Brian Marquart provided a brief update on VCET training and technical assistance activities. He conducted follow-up site visits to two VCETs with concerns previously noted and found them to be in compliance. He also continues to attend Advisory Board meetings at all 23 VCETs and is identifying areas for training, suggesting that VCET advisory board chairs be invited to attend the October VCCC retreat to discuss oversight responsibilities, role of the prosecutor, components of Joint Powers Agreements and liability issues.

Grant Administration Update

Kristin Lail informed the VCCC that the 2017 VCET Request for Proposals would be released in July with a due date in early September. While VCET priorities and funding considerations remain constant, there is a proposed change in the eligibility criteria, requiring two or more counties in geographic areas with a population of less than 100,000. The Statewide Coordinator has met with the VCETs that would be impacted by this change.

The Office of Justice Programs assisted BCA and MDH in applying to the National Governors Association to attend training in Washington DC on law enforcement and public health partnerships to share information on heroin, opiate and fentanyl overdoses.

Members also discussed the proposed expansion of the Milwaukee High Intensity Drug Trafficking Area (HIDTA) to include the Twin Cities Metro area. DEA Acting SAC explained the threat assessment process and letters of intent submitted by five metro counties. Members asked about the role of the state and plans for coordination with VCETs.

The VCCC business meeting adjourned at 11:50 am and took a break for lunch. They reconvened for an afternoon presentation from Washington State about their onsite peer review process for narcotics and gang task forces.

The August meeting of the VCCC was cancelled, so the next meeting will be the VCCC Annual retreat on Wednesday October 12, 2016 at the Minnesota Bureau of Criminal Apprehension. VCET Advisory Board Chairs will also be invited to attend.